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7 January 2008

Ms. Sophia Fisher, Project Manager
County of Loudoun
Department of Planning
1 Harrison Street, S.E.
Leesburg, VA 20178

RE: SPEX 2007-0011 to remove non-conforming status,
ZMOD 2007-0001 to modify building setback,
ZMOD 2007-0003 for Comprehensive Sign Plan,
Sterling Chevrolet (3rd submission)

Dear Ms. Fisher:

The following are our responses to your comments dated 13 December 2007 on the above referenced project.

1. Comment:

Staff requested that the applicant acknowledge that the conditions associated with SPEX 1991-0009 (and SPEX 1987-0011) remain in effect, which was not done.

Response:

The Applicant acknowledges that the conditions associated with these two SPEX applications remain in effect. This is indicated by a new note under General Notes on sheet 1 of the Special Exception/Zoning Modification Plan.

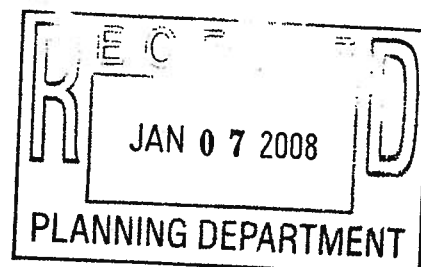
2. Comment:

Staff requested that ZOAM 2006-0003 changes be incorporated; however, sheet 1 of the plat references a modification to Section 5-900(C), which has no bearing on this application.

Response:

The last note under Modifications on sheet 1 of the Special Exception/Zoning Modification Plan, is revised to cite the applicable sections per the recently adopted amendments to the Zoning Ordinance. The Applicant is seeking waivers of the front and side/rear buffer yard requirements.

ATTACHMENT 4



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3. Comment:

Staff requested a tabulation be provided on sheet 3 that states the required buffer yard width and required landscaping, what exists that meets the Ordinance requirement, and what will be planted; however, this was not provided on the plan. The applicant states on sheet 1 that its seeking a modification of 5-1414(B)(3), but the Statement of Justification (SOJ) references Section 5-1406(E)(2) and that the applicant wants to modify such section to the landscaping that currently exists on site. If the applicant is modifying the buffer plantings, then 5-1414(B)(3) needs to be modified, in addition to 5-1406(E)(2). If the applicant wishes to eliminate the 5-1406(E)(2) requirement, a modification to 5-1414(B)(3) is not needed. The proposal/ modifications and the SOJ should be compatible in the request. Staff recommends all required shrubs be provided, and that canopy trees be eliminated, requiring modification to both sections. Finally, no description appears on sheet 3 of what exists in the rear buffer, what meets the Ordinance, and what is required, as previously requested. If the applicant also seeks to modify the rear buffer, then it should be set out in the plan. In addition, the section number is wrong for modification 4 on page 5 of the SOJ. Sheet 6 of the SOJ states that existing landscaping can be found on sheet 2 of the plan and in the tabulation, which is not correct. Sheet 2 has no landscape information and there is no tabulation.

Response:

The buffer yard requirements are now tabulated on sheet 3. The SOJ and Special Exception/Zoning Modification Plan are now consistent.

3. Comment:

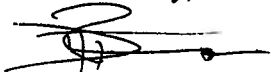
Staff requested that lighting be shown in foot candles, however, page 7 through 9 of the sign package shows the signs in "lumens", which is not recognized in the Ordinance. Several of the elevations (page 2 through 4) do not list the foot candles.

Response:

The lumens as shown on various pages of the sign package was developed by an outside consultant as lumens per square foot. Notwithstanding, please understand the conversion of lumens per square foot to foot-candles is a factor of 1. Pursuant to our meeting on 29 November 2007, specific signs were identified to be critical to meeting the low glare standards, as recommended by the General Plan. These specific signs list the foot-candles in the sign package. As stated in the previous submission, the Applicant is willing to provide a photometric plan at Site Plan. Based on the location of the illuminated signage and in consideration of the existing vegetation, where abutting a residential use or residential district, all sources of glare proposed by these existing uses do not cause illumination in excess of 0.25 foot-candles at these common boundaries. This is in accordance with §5-1504 of the Revised 1993 Zoning Ordinance.

We feel we have adequately addressed all comments and look forward to approval of this plan. Please do not hesitate to contact me should you have any questions.

Sincerely,



D. Russell Forno
Branch Manager/Director of Planning

DRF/tls/3792

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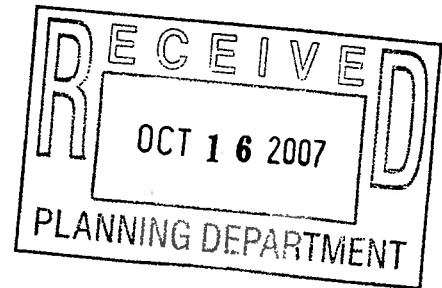
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16 October 2007

Ms. Sophia Fisher, Project Manager
County of Loudoun
Department of Planning
1 Harrison Street, S.E., 3rd Floor
Leesburg, VA 20177



RE: SPEX 2007-0011 Sterling Chevrolet S1 Lots 5A, 6A & 8
ZMOD 2007-0001 Sterling Chevrolet
ZMOD 2007-0003 Sterling Chevrolet S1 Lots 5A, 6A & 8 (Comprehensive Sign Plan)

Dear Ms. Fisher:

The following are our responses to your comments following the receipt of the last referral comments dated 23 July 2007.

Community Planning dated May 29, 2007

1. **Comment:**
Staff finds the proposed design of the new entrance and canopy in conjunction with the building materials and architectural details complement the existing auto dealership and are in keeping with the design policies of the Retail Plan.

Response:
Acknowledged.

2. **Comment:**
Staff finds the design; location and composition of the proposed signs are in keeping with the policies of the Retail Plan for a unified graphic design. Staff recommends the applicant commit to the designs and colors provided in the photo-simulations to ensure the proposed sign plan blends with the existing signs.

Response:
Acknowledged. The applicant intends to follow through with the colors that were shown in the photo-simulations.

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3. Comment:
Staff recommends information regarding signage lighting be provided including types of lighting, intensity of lighting and times of illumination to further evaluate light trespass and impacts on the surrounding night sky. Staff recommends a commitment to the use of lighting that is least disruptive to the adjoining properties in terms of glare and appearance.

Response:

The lighting that is provided for the signs will not disrupt or spill onto the adjoining properties, and will comply with zoning ordinance requirements. See "General Notes" on sheet 1. A cut sheet is provided showing the type of lighting that will be used in all of the proposed signage.

Office of Transportation (OTS) dated May 2, 2007

4. Comment:
The Special Exception Plat shows the dedication of a 100 feet ROW from the centerline to the property line at the frontage of the site for the future improvements of Route 7.

Response:

Acknowledged.

5. Comment:
The project will not add new trips to the site. Approval of this application will not result in significant impact on traffic conditions in the vicinity of the site.

Response:

Acknowledged.

Virginia Department of Transportation (VDOT) dated May 18, 2007

We acknowledge that VDOT has no objection to the approval of these applications.

Department of Building and Development (Zoning) dated July 23, 2007

1. Comment:
In reviewing the application, the Planning Commission and Board shall consider whether the nonconforming structure and parking areas can be improved through a landscape buffer to minimize adverse impacts on abutting properties. The existing conditions plan (sheet 3 of 3) does not indicate that there is any landscaping on the property. Staff recommends that landscaping be added where possible in order to improve upon the lack of buffer yards and reduced setbacks.

Response:

Recommendation noted. The existing vegetation and board on board fence provides adequate screening from residential uses and abutting properties. No new landscaping is proposed due to the nature of the existing use. The existing conditions plan has been revised to show existing landscaping per comment 13.

2. Comment:

Staff notes that the applicant has not requested to remove the non-conforming status from other buildings, outdoor storage, and parking, namely the Saturn Building (encroaches into the Route 7 building setbacks); parking space on parcel 5A (within the 35' parking yard prescribed by Section 4-205(C)(1)(c)). The body shop, parking along the 6A and 5A northern boundary, and possibly the "car storage area" are within this 100' yard adjacent to residential districts, yet the applicant has not requested to remove the non-conformity or to modify the yard. Also, the encroachment along the parcel 5A eastern boundary into the yard required by 4-205(C)(3), Adjacent to Other Nonresidential Districts, has not been modified or requested to have the non-conformity removed. If the applicant wishes to expand any of these uses or structures in the future, they should include it within this application.

Response:

Only the non-conformity of Parcels 5A, 6A and 8 with regard to the 100' and 35' building setback for the Chevrolet and Saturn buildings is being sought. Modification of Sections 4-205(C)(1)(c), 5-900(A)(1)(a) and 4-206(E)(1) for the Chevrolet and Saturn buildings are requested with this submission, in addition to the sign requirements matrix. See sheet 1 for the listed modifications. See the Statement of Justification for the justification of the modifications and the removal of the non-conforming status of the subject properties, as stated.

Please note that a modification of Section 4-205-(C)(1)(c) for the Saturn building is not being sought, since the existing building is beyond of the 35' building setback. See sheet 2.

3. Comment:

All requested modifications must be listed on the plat stating the requirement and the requested modification.

Response:

All requested modifications are listed on sheet 1 under the heading "Modifications", and under "Site Data".

4. Comment:

Section 4-205(C)(1)(c) requires a 35' yard from any road right-of-way for buildings, parking and storage. The applicant does not appear able to maintain this yard for the subject building, therefore, a modification of this section is also required.

Response:

A modification of the 35' yard from any road right-of-way is now requested for the Chevrolet building only. See sheet 1. The Statement of Justification is also updated to reflect these changes.

5. Comment:

Section 4-205(C)(2) requires that all buildings, parking and outdoor storage be 100' from any existing residential district. The existing parking, body shop and outdoor storage encroaches into this yard. The applicant should consider removing the non-

conformity and including a modification of this yard in order to allow for future expansion.

Response:

The applicant acknowledges your recommendation however; the applicant does not wish to seek a modification of the 100' yard from any existing residential district at this time. No future expansion of the existing parking, body shop and outdoor storage are proposed.

6. Comment:

Section 4-205(C)(3) requires a 35' yard from any other non-residential district for buildings, parking and outdoor storage. MCPI 041-49-6353 is zoned PD-GI and the storage and parking along the eastern boundary, adjacent to the 041-49-6353 are within the 35' yard. The applicant may wish to remove the non-conformity.

Response:

Applicant notes that the adjacent parcel along the eastern boundary zoned PD-GI is identified as MCPI 014-49-6353. The applicant acknowledges the recommendation however; it does not wish to remove the lawful non-conformity of the 35' yard from any other non-residential district for buildings, parking, and outdoor storage at this time.

7. Comment:

The applicant has sought to modify 4-206(E)(1) to allow a building setback of 20' instead of the required 100' setback from an arterial road. Staff notes that the plan indicates that the existing building is further back than the proposed 20' setback, and recommends that the setback modification be revised to the current setback of the existing building, which appears to be approximately 33-feet. In addition, state on the plan the distance the existing building is from Route 7 (it is noted for the canopy only).

Response:

The proposed setback is now adjusted to 30' for the buildings, to allow for future façade improvements. The distance of the existing buildings (Chevrolet and Saturn) from Route 7 are dimensioned. See sheet 2.

8. Comment:

The required landscaped open space is .20 times the buildable area; state the requirement and the amount provided (4-207(B)).

Response:

The required open space calculation is provided under the Zoning Requirements on sheet 1.

9. Comment:

The applicant has requested a modification of the building setback from Route 7 as required by Section 5-900(A)(1)(a). As stated in #7 above, the applicant has requested a modification from 100' to 20'; however, the existing building appears to

be approximately 33' from Route 7. Staff recommends that the modification request be revised to the distance currently provided.

Response:

The proposed setback is adjusted to 30' for the buildings to allow for future façade improvements.

10. Comment:

The Saturn building does not meet the 100', and staff questions why it was not included in the removal of non-conformity or modification request. As it currently stands, these structures may not be expanded without a new application.

Response:

Per your recommendation, the applicant is now seeking to remove the non-conformity of the Saturn building and is also seeking a modification of the 100' building setback from Route 7. See the Statement of Justification for support of these modifications.

11. Comment:

Parking must be 100' from Route 7 with landscaping requirements. The current parking does not meet this requirement, nor does it appear to meet the landscaping requirements of 5-1414(B)(3). Staff recommends it be included in the request to remove the non-conformity as well as included in the modifications.

Response:

The applicant acknowledges the recommendation however; it does not wish to remove the lawful non-conformity nor modify the 100' and 35' parking setback/yard from Route 7, or the landscaping requirements of 5-1414(B)(3), at this time. The existing parking will not be expanded.

12. Comment:

Motor Vehicle Sales & Service requires 2.5/1000 sf of interior sales space plus 1.5/1000 sf of external display (not including stock areas closed to the public) plus 3 spaces per service bay. State what is required per the Ordinance on the plat and the amount of parking provided on sheet 1, Off-Street Parking and Loading Tabulation.

Response:

The parking tabulations, required and provided, are now shown on sheet 1 under the "Off-street Parking and Loading Tabulations".

13. Comment:

Provide a landscaping sheet that shows the existing landscaping. Staff may recommend that landscaping be installed where possible to mitigate any impacts.

Response:

Acknowledged. The existing landscape is shown on sheet 3.

14. Comment:
On sheet 1, Site Data, remove the parcel that is not subject to the SPEX/ZMOD and indicate which parcel only has a portion subject to the application. Also, revise the Vicinity Map to reflect only those portions that are included in this application.

Response:

The "Site Data" on sheet 1 is updated to reflect the parcels that are subject to the SPEX application. The Vicinity Map now reflects the parcels that are subject to the SPEX application.

15. Comment:
Revise the Current Use using terms defined in the Ordinance.

Response:

The Current Use now reflects the terms that are present in the Zoning Ordinance.

16. Comment:
State the full extent of the proposal (i.e. SPEX to remove non-conformity, ZMOD to modify, etc).

Response:

The full extent of the proposal is provided on sheet 1 under "Site Data" and supplemented under "Modifications".

17. Comment:
In the Zoning Requirements, state what is provided and what is proposed for all the yards, coverage, FAR, and other lot requirements.

Response:

Under the "Zoning Requirements" on sheet 1, all of the required and proposed information is now shown.

18. Comment:
Remove the "Special Exception/Zoning Modification Plan" as sheet 2 provides the correct scale and detail.

Response:

The "Special Exception/Zoning Modification Plan" on sheet 1 is now removed. This was a checklist item.

19. Comment:
On sheet 2, remove Note 1 as the previous data will not be applicable to this site now that it is governed by the Revised 1993 Zoning Ordinance.

Response:

Note 1 on sheet 2 is removed.

20. Comment:
Shade those portions of parcels that are not subject to this application and clearly state such on the plan.
- Response:
The parcel that is not subject to these applications is now shaded/stated on the special exception plan.
21. Comment:
Show all the yard lines as required by the Ordinance, in order to highlight encroachments, and provide the distance of all buildings, parking and outdoor storage from property lines. For example, the existing Body Shop is 75' from the northern district boundary and the car storage area is within the 100' yard from residential districts.
- Response:
All required yard lines are shown on the plan. The required yard lines are shown for administrative purposes only. The distances for all buildings are now shown. See sheet 2 for depiction of yard lines and note 5.
22. Comment:
The applicant states in the Justification for Modifications that they wish to increase the total sign area, the maximum number, the maximum area and the minimum setback from the right of way. Section 5-1203(E) states that Comprehensive Sign Packages shall include a comparison chart, the various sign types and a sign plan. The illustrative signs provided do not (1) provide height and length and total sign area when shown on elevations; (2) state the type of sign proposed and the number of each sign. For example, on page labeled "Pg 1 of 1" the "bowtie" sign does not give its dimension, and how many are proposed. Consolidate so that the Planning Commission and Board of Supervisors know exactly how many of each sign is proposed, its location and the maximum size of any one sign. Also, a sign plan needs to be provided which will show where each sign will appear in relation to the site. Staff recommends that the applicant review recently approved sign plans to provide information on the presentation of the material.
- Response:
The sign package is now updated to provide the height, length, total sign area and the number of each sign which are now shown on the elevation exhibits. A plan showing the location of the signs in relation to the building and site is provided as it was with the original submission. See the provided matrix showing the maximum size (area) of any one sign.
23. Comment:
The Comparison Matrix provided is confusing. Remove the information regarding ground mounted signs as it appears none are proposed, as well as the illumination column if it is not to be modified. The applicant shows that all signs will remain within the maximum area of any one sign, however, several signs exceed 20 square feet. For example, if a "service" sign is limited to 20 sf, and only 1 sign is proposed, how will the total aggregate area be 35.77-feet? Be clear

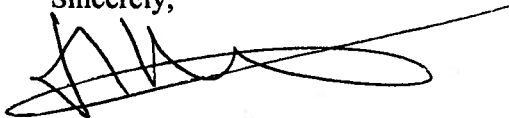
how many signs are being proposed/existing and the size of each sign. In addition, the applicant state that they wish to modify the minimum setback, but no information was provided.

Response:

The information regarding ground mounted signs as well as the illumination column is now removed from the sign matrix. In addition, the sign matrix is now revised to state how many signs are being proposed/existing, and the size of each sign. The request to modify the minimum sign setback is now removed. See the revised Statement of justification.

We feel we have adequately addressed all comments and look forward to approval of this plan. Please do not hesitate to contact me should you require any additional information.

Sincerely,



For:

D. Russell Forno
Director of Planning

DRF/tls/3792